

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

MAR 06 2006

CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS

UNITED STATES OF AMERICA,

No. 05-10746

Plaintiff - Appellee,

D.C. No. CR-04-00444-DAE

v.

District of Hawaii,
Honolulu

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

PHILLIP ANDREW NICO,

ORDER

Defendant - Appellant.

MAR 10 2006

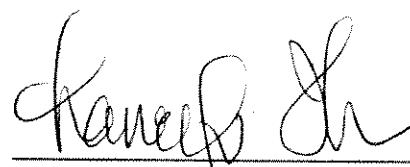
at 10 o'clock and 0 min. M
SUE BEITIA, CLERK

Appellant's motion for voluntary dismissal of this appeal is granted. This appeal is dismissed. *See* Fed. R. App. P. 42(b); 9th Cir. R. 27-9.1.

The motion of Georgia K. McMillen, Esq., to withdraw as counsel is denied as moot.

The certified copy of this order sent to the district court shall constitute the mandate.

For the Court



Nanette Won
Deputy Clerk
9th Cir. R. 27-7
General Orders/Appendix A

A TRUE COPY
CATHY A. CATTERSON
Clerk of Court
ATTEST

MAR - 6 2006



by: Deputy Clerk

Proceedings include all events.
05-10746 USA v. Nico

UNITED STATES OF AMERICA
Plaintiff - Appellee

Loretta A. Sheehan, Esq.
FAX 808/541-2958
808/541-2850
Suite 6-100
[COR LD NTC aus]
USH - OFFICE OF THE U.S.
ATTORNEY
PJKK Federal Building
300 Ala Moana Blvd.
P.O. Box 50183
Honolulu, HI 96850

v.

PHILLIP ANDREW NICO
Defendant - Appellant

Phillip Andrew Nico
90345-022
[NTC prs]
FDC HONOLULU
P.O. Box 30080
Honolulu, HI 96820

Georgia K. McMillen, Esq.
FAX 808/891-9393
808/891-9393
[COR LD NTC cja]
P.O. Box 1512
Wailuku Maui, HI 96793